

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 9-14 are pending. Claims 9 and 12-14 are independent and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. SUPPORT FOR AMENDMENT IN SPECIFICATION**

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraphs [0096] of Applicants' corresponding published application.

By way of example and not limitation:

[0096]The index file update section 105 generates clip elements corresponding to the generated clip according to the parameter information supplied from the information obtainment section 102 and the header size information supplied from the header size obtainment section 108, registers the clip elements to the index file that has been read from the optical disc 17 and stored in the RAM 53, and updates the clip elements. The generated clip elements describe clip attribute information necessary to reproduce the clip

and **the header size information of each type of essence data.**  
The index file update section 105 outputs the updated index file to  
the table record section 107.

### III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §101

Claims 13 and 14 are hereby amended, thereby obviating the rejection under 35  
U.S.C. §101.

### IV. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §112

In response to the rejection under 35 U.S.C. §112 to claims 10 and 11, Applicants  
submit that the specification, as originally filed, describes “reproducing data that compose the  
clip from the position of which the header size is removed from the beginning of the data  
according to the header size information obtained by the first or second data information  
obtainment means”, as recited in claim 10, and “successively reproducing data that compose all  
clips recorded on the record medium from the position of which the header size is removed from  
the beginning of the data according to the header size information obtained by the first or second  
data information obtainment means”, as recited in claim 11, and support is provided throughout  
the Specification as originally filed and specifically at paragraphs [0222] and [0227] of  
Applicants’ corresponding published application. By way of example and not limitation:

[0222]In addition, since the header size information of an MXF  
data file of an essence data file is described in the index file and  
the clip information file, when essence data of an MXF data file is  
read from the optical disc 17, **the essence data can be directly  
read from the position of which the header size is removed  
from the beginning of the MXF data file (namely, the file body)  
according to the index file or the clip information file.** Thus,  
data can be more effectively reproduced than the case that only  
attribute information is described.

[0227]At step S104, the clip reproduction section 111 controls the drive 66, the encoder/decoder section 56, and **the output section 63 to reproduce essence data recorded on the optical disc 17 from the position of which the header size (for example, [header="65536"], line 8, FIG. 14) is removed from the beginning of the file (the file is sought for the header size) according to the attribute information obtained by the clip information obtainment section 114**, the header size information, and the file name obtained by the index file information obtainment section 113 and completes the clip reproduction process.

## V. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 9-14 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2002/0131764 to David et al. (hereinafter, merely “David”) in view of U.S. Patent Application Publication No. 2003/0085997 to Takagi et al. (hereinafter, merely “Takagi”) in view of U.S. Patent No. 5,806,072 to Kuba et al. (hereinafter, merely “Kuba”).

Claim 9 recites, *inter alia*:

...management file generation means for generating a first management file that manages each clip of data that compose the clip recorded on the record medium with an identifier that uniquely identifies data that compose the clip, the first management file describing the reproduction information of data that compose the clip obtained by the reproduction information obtainment means **and the header size information of each type of essence data of each clip** obtained by the header information obtainment means, each clip being a predetermined structural unit of data... (Emphasis added)

As understood by Applicants, David relates to identifying video and/or audio and/or data material, digital video tape recording, and recording apparatus and methods of recording audio and/or video information signals.

As understood by Applicants, Takagi relates to identifying video and/or audio and/or data material, digital video tape recording, and recording apparatus and methods of recording audio and/or video information signals.

As understood by Applicants, Kuba relates to an electronic imaging apparatus which is compatible with personal computers and the like.

Applicants submit that neither David nor Takagi nor Kuba, taken alone or in combination, would disclose or render predictable the above-identified features of claim 9. Specifically, none of the references used as a basis for rejection discloses or renders predictable “management file generation means for generating a first management file that manages each clip of data that compose the clip recorded on the record medium with an identifier that uniquely identifies data that compose the clip, the first management file describing the reproduction information of data that compose the clip obtained by the reproduction information obtainment means and **the header size information of each type of essence data of each clip** obtained by the header information obtainment means, each clip being a predetermined structural unit of data,” as recited in claim 9.

Specifically, the Office Action (see pages 4-5) concedes that neither David nor Takagi teaches header information obtainment means for obtaining header size information of the data generated by the data generation means and the header size information obtained by the header information obtainment means for each clip, but asserts that Kuba teaches the above mentioned features, and refers to Kuba, col. 35, line 1-4, which are reproduced as follows:

*Kuba, col. 35, line 1-4:*

... Since in this case various kinds of information are described in each file header, it is difficult to prescribe a constant header size,

and the header thus has a variable size. Therefore, in the above process it is not easy to recognize the start position of image data.

Applicants submit that Kuba describes that the header has a variable size.

However, nothing has been found in Kuba that discloses **the header size information of each type of essence data**. Thus, Kuba fails to disclose or render predictable “management file generation means for generating a first management file that manages each clip of data that compose the clip recorded on the record medium with an identifier that uniquely identifies data that compose the clip, the first management file describing the reproduction information of data that compose the clip obtained by the reproduction information obtainment means and **the header size information of each type of essence data of each clip** obtained by the header information obtainment means, each clip being a predetermined structural unit of data”, as recited in claim 9.

Furthermore, this deficiency of Kuba is not cured by the supplemental teaching of David or Takagi.

Therefore, Applicants submit that independent claim 9 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 9, independent claims 12-14 are also patentable, and Applicants thus respectfully request reconsideration of the rejections thereto.

## **VI. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicants thereby respectfully request reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By 

Thomas F. Presson  
Reg. No. 41,442  
Russell P. Blaise  
Reg No. 66,567  
(212) 588-0800